

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held February 18, 2014

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:28 p.m. by Chairman William B. Hawk, on the above date, in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hawk were: William C. Seeds, Sr., Gary A. Crissman, and Robin L. Lindsey.

Also in attendance were George Wolfe, Township Manager; Steve Stine, Township Solicitor; and Watson Fisher, SWAN.

Pledge of Allegiance

Mr. Crissman led in recitation of the Pledge of Allegiance.

Approval of Minutes

Mr. Crissman made a motion to approve the minutes from the January 28, 2014 special business meeting. Mr. Seeds seconded the motion, and a unanimous vote followed.

Public Comment

Ms. Elise Juers, 411 Davis Street explained that she lives in Susquehanna Township, although her property is located in both Susquehanna and Lower Paxton Townships. She questioned why last Thursday the Township snowplows or the Township's contractor was doing 40 to 45 mph in a 25 mph speed limit zone. Mr. Hawk noted that he was not sure he could answer that but he would guess, noting that several Board members have driven with the snowplow operators, when you get that volume of snow that covers a bed of ice you have difficulties moving that volume off to the side. He noted that it takes some speed and effort to move the snow sometimes.

Ms. Juers noted that she works with contractors all the time with her job as she does hazardous site cleanup for the State and she has worked an outside job with contractors for 21 years and there was snow, but there was no ice pack and there is no need for a snow plow to come at a person in their driveway burying them up to their knees in snow. She stated that occurred on the snow plow driver's second pass, noting that there were two snow plow operators and if that snow plow needed to stop it would not have been able to do so. Mr. Hawk questioned if it was a Lower Paxton Township plow. Mrs. Juers answered yes and that it was trespassing into Susquehanna Township. She noted that her driveway is in Susquehanna Township and she was annoyed since she is partially disabled and it hurts her to lift two pounds. She noted that she spent 3.5 hours shoveling out her car to go to work and she has no feeling in her left leg. She noted that she just cleared her driveway five feet out into the road because that is how far out the road is and the snow plow driver saw her, came right past her and filled in her driveway which she thought was pretty obnoxious. She stated that he should have slowed down because he didn't have any problem filing the entire corner of her property with snow. She noted that a little courtesy would not have hurt. She explained that no one else in her neighborhood had shoveled and she was getting ready to leave and she could not do so. She noted that it took her another two hours to dig out. She noted that numerous neighbors were very upset with the speed of the snow plows.

Mr. Wolfe questioned why Ms. Juers indicated that it was a contractor. Ms. Juers noted that she did not see the Lower Paxton Township sign on the truck, but it was green in color. Mr. Wolfe explained that we have no contractors that work for the Township and all the trucks are marked. Ms. Juers noted that they were driving so fast she could not see the decal. She noted that she was making eye contact with the driver.

Mrs. Lindsey questioned if it was a dump truck or a pick up truck. Ms. Juers answered that it was a heavy truck, a very large truck, she saw the plow. Mrs. Lindsey noted that she lives on Frances Drive in the Township side and she noted that Lower Paxton Township and Susquehanna Township help each other out in that area because that location is on the border. Ms. Juers noted that Susquehanna Township's trucks are yellow. Mrs. Lindsey noted that is why they were there as they help each other out. Ms. Juers noted that she does not have a problem with that but she does have a problem with them flying down the road. Mrs. Lindsey questioned if it could have been someone else who was plowing. Ms. Juers answered that it was not a private company as there were two plows, and they did all the streets. She noted that her corner house is located where Davis Street meets Sumner Drive.

Mr. Seeds noted that Mr. Wolfe will look into this. He noted that he has plowed snow before and there may be times that it appears that they are going fast, but the operators do a good job in the Township trying to get the roads cleared. He noted that it may appear that they are going faster than they are as they are trying to do their job. He noted that it is not an easy job working long hours in the cold. He noted that we get very few complaints about our drivers. Ms. Juers noted that numerous neighbors commented to her about how fast they drove and she asked them to call but they didn't do so.

Ms. Juers noted that her other concern is with the good old boys from Santanna Drive who drive through her neighborhood with their ghetto garbage blasting at full volume with speakers that make a earthquake in her yard. She noted that she would like to see that addressed before summer comes as it has been an ongoing complaint and the simple solution is to get a bazooka and fix the problem. She suggested that the Township would have some concerns with that. She noted that she could find no noise ordinance in the Township's ordinances and she is tired of listening to the people with loud mufflers. She noted that Santanna Drive is three blocks

down from her home and last summer it was just car after car with the base speakers driving her crazy. She noted that she spoke to one of the police officers and he stated that it is a gray area. She explained that her decibel meter registered 140 and it rattles her windows and it is a gray area. She suggested that is not true. She noted that she would like a consideration for a noise ordinance. She noted that she read from a general ordinance that she found from Delaware that stated, “Loud and unnecessary or unusual noise or any noise that disturbs, or any noise that disturbs or endangers the comfort, peace, or safety of others at any time is prohibited”. She noted that any noise that is audible at a distance of thirty feet from the noise source is a violation. She suggested that this is something she would like the Board to consider.

Mrs. Lindsey questioned how Ms. Juers knew that the cars were coming from Santana Drive. Ms. Juers answered that she followed some of the drivers, noted that they are flying through at 40 or 50 mph and she has taken down their license plate and she went to Santanna Drive to see where they park.

Ms. Juers thanked the Board for their time.

Chairman and Board Member’s Comments

Mr. Hawk noted that several Board members have driven with the snowplow operators and when he saw the truck he thought he was going to get a noise bleed as it was so high. He noted that the drivers do a fantastic job of clearing the roads and his hat is off to them. He noted that they are plowing roads while we are lying in bed sleeping and many times they are still plowing at 5 p.m. He noted that we had about 50 trucks out on the road plowing and not only did the Public Works do a great job, but also the Sewer Authority joined in as they took their trucks and drivers and work together as a team with Public Works. He explained when he was in the truck with the snow plow driver, he saw people giving the plow drivers a thumbs up. He noted that he was able to shake hands with many of those people. He noted that we have 400 lane miles

but the trucks may have to do three or four swipes for a road to clear the snow properly, so it ends up to be over 600 miles of road that they are plowing, a lot to clear over a relatively short period of time. He noted that many people call to complain about the snow plow that plows their driveways shut. He explained when you open your driveway, you created an open spot and the plow has no choice but to push snow in the open space. He noted that people should not shovel out the last two feet until the plow comes through and then you only have to shovel once.

Mrs. Lindsey explained that it would be very helpful if the residents would remove their vehicles to their driveways or garages and get them off of the street to help with the plowing activities. She noted that is the hardest part of the snow plow driver's job, plowing around the cars.

Mr. Crissman noted that at one point a driver had to stop as there were two children playing near the car where it was parked along the road and the parents were in the driveway trying to get their children in. He urges people to put their cars in the driveway. He noted that he was extremely proud of the teamwork as they worked very well together.

Mrs. Lindsey noted that some people are upset that they are the last to be plowed but the plow drivers all have zones and eight to ten hours to get their zones plowed and she noted that someone is first and someone is last. Mr. Hawk explained that the major roads are always plowed first.

Manager's Report

Mr. Wolfe noted that Senator Rob Teplitz has invited the community to a Town Hall meeting to take place in this room, tomorrow night from 6 p.m. to 7 p.m. He noted that it will be televised on both Comcast and Verizon channels. He noted that Senator Teplitz proposed to provide for people to learn more about his agenda to help the 15th Senatorial District and

constituent services that he has available. He noted that Senator Teplitz has someone on staff manning a room on the second and fourth Wednesdays, at the Municipal Center.

OLD BUSINESS

Appointment of individuals to serve on the Planning Commission

Mr. Hawk explained that he received a recommendation from the Planning Commission to appoint the following people to fill vacancies on that Commission. He noted that Lori Staub will server a four-year term and Stephen Libhart will serve a three-year term. He noted that Fred Lighty will be reappointed for a four-year term. Mr. Crissman made a motion to approve the appointments as listed by Mr. Hawk. Mrs. Lindsey seconded the motion and a unanimous vote followed.

Appointment of individuals to serve on the Township Authority

Mr. Hawk made a recommendation to appoint Supervisor Robin Lindsey to the Township Authority Board. Mr. Crissman made a motion to approve the appointment as listed by Mr. Hawk. Mr. Seeds seconded the motion and a unanimous vote followed.

Mr. Wolfe reminded Mr. Hawk that the appointment would take effect on February 21, 2014. Mr. Crissman amended the motion to include the effective date. Mr. Seeds seconded the amended motion, and a unanimous vote followed.

Action on an agreement with Active Network to implement on-line program Registration at the Friendship Center

Mr. Wolfe explained that this was discussed as part of the workshop session last Tuesday night. He noted that Active Network is the program registration software that is used at the Friendship Center (FC) for registrations. He noted at this time, the FC does not provide for on-line program registrations; however through this proposal, in the amount of \$4,404.50, which does not include staff training, Active Network will install the necessary software and hardware

in the system to provide for on-line program registrations. He noted that the proposal details are shown in the contract.

Mr. Crissman made a motion to approve the contract with Active Network for on-line registration for the software and hardware services at the Friendship Center in the amount of \$4,404.50. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Resolution 14-07; accepting the Master Site Development Plan
for Koons Park/Wolfersberger Park

Mr. Hawk explained that a consultant has come up with a master plan for the development of these two parks, Koons and Wolfersberger Parks, and 50% of the cost for the master plan is to be paid by a Department of Conservation and Natural Resource Grant (DCNR). He explained that the plan is not set in stone and phasing can be changed depending on money and needs.

Mr. Wolfe noted that the closeout of this project and acceptance of the master site development plan is necessary to complete the process as the process was funded in part by a grant from DCNR in the amount of \$40,000. He noted in order to apply for those funds, the Board needs to designate that the process is finished and that it has accepted the master site development plan.

Mr. Crissman noted by accepting the master site development plan, it is in no way saying that the plan must be implemented exactly as it is presented. He noted that the Board would have every opportunity to make changes to the plan. Mr. Wolfe noted that is correct as is with any comprehensive plan that the Board adopts.

Mr. Crissman made a motion to approve Resolution 2014-17; accepting the master site development plan for Koons/Wolfersberger Parks. Mrs. Lindsey seconded the motion. Mr. Hawk

called for a roll call vote: Mrs. Lindsey, aye; Mr. Seeds, nay; Mr. Crissman; aye; and Mr. Hawk, aye.

NEW BUSINESS

Ratification of Emergency Declaration 14-01; as issued by the Township Manager on February 13, 2014

Mr. Hawk noted that Mr. Wolfe declared an emergency declaration on February 13, 2014 for the snow fall that occurred on that day. He noted that the Board must ratify the emergency declaration. Mr. Wolfe noted that the ability of a Township manager to declare a state of emergency is vested with the Board of Supervisors and that body must confirm that declaration. He noted that the declaration was declared for February 13, 2014 due to the ten to twelve inches of snow that fell on the community a day and a half after receiving six inches of snow and ice. He noted that it took the Public Works and Sewer Department employees many hours to maintain the roads and keep transportation moving within the community. He noted that schools were closed and many businesses were closed as well as the Township Municipal Center. He noted that the Emergency Operations Center opened that day. He explained that this emergency declaration parallels the one issued by Dauphin County for its municipalities.

Mr. Hawk questioned if this would be used for other similar incidents of a like nature. Mr. Wolfe answered that an emergency declaration was previously used for Hurricane Sandy, one other significant snowfall, and one rain event. He suggested this is the fourth time this process has been put into place. Mr. Crissman questioned if this could be used for a Three Mile Island event. Mr. Wolfe answered yes.

Mr. Crissman made a motion to approve the ratification of the Emergency Declaration 2014-01, issued on February 13, 2014 by the Township Manager. Mr. Seeds seconded the motion, and Mr. Hawk called for a voice vote, and a unanimous vote followed.

Change Order #1 for the Paxton Creek 1GDA and 1GDB
sanitary sewer replacement project

Mr. Hawk noted that the total amount for the change order is \$16,265.49 for two different change orders, one for Paxton Creek 1GDA and one for 1GDB.

Mr. Wolfe noted that the change order is three-fold. He noted that the first is a time extension for the contract with PAC Contractor, with a new ending date of June 15, 2014. He noted that it also increases the contract price by \$9,866.49 to provide for 318 lineal feet of 12 inch to 15 inch PVC pipe in IGDA, and it also provides for an increase of \$6,399.00 for the installation of 81 lineal feet of eight in DIP under stream crossing pipe in 1GBD. He noted that these are in accordance with the change order that has been designed by the Township's Sanitary Sewer Department Engineer. He noted that the total change order is \$16,265.49.

Mr. Crissman made a motion to approve Change Order #1 for the Paxton Creek 1GDA and 1GDB for the sanitary replacement project in the amount of \$16,265.49 and change the substantial completion date to June 15, 2014. Mrs. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Resolution 14-08; authorizing the destruction of specific municipal records

Mr. Hawk noted that the Municipal Records Manual is rather clear for what records should be maintained and what records can be destroyed.

Mr. Wolfe noted that the list of records to be destroyed is attached to the resolution as an exhibit. He noted that it is primarily old public works records.

Mr. Crissman made a motion to approve Resolution 14-08; authorizing the destruction of specific municipal records. Mrs. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Resolution 14-09 and 14-10; requesting reimbursement of a portion of funds to
Train municipal police officers in accordance with PA Act 120 of 1974

Mr. Hawk noted a couple of weeks ago, he swore in two new police officers who have to undergo police training at Harrisburg Area Community College. He noted that this resolution will request reimbursement for their training once they have completed their course of study.

Mr. Crissman made a motion to approve Resolution 14-09 and 14-10; requesting reimbursement of a portion of funds to train municipal police officers in accordance with PA Act 120 of 1964. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Shadebrook Plan

Mr. Hawk noted that the Shadebrook Plan was removed from the agenda at the request of the developer and will be schedule to a later meeting date.

Improvement Guarantee

Mr. Hawk noted that there were five Improvement Guarantees.

Hearthside East

An extension and 10% increase in an escrow with Lower Paxton Township, in the amount of \$14,641.00, with an expiration date of February 18, 2015.

Huntleigh, Phase I

An extension and 10% increase in a letter of credit with Fulton Bank, in the amount of \$119,945.36, with an expiration date of February 18, 2015.

Chelsey Falls, Phase I

An extension and 10% increase in a bond with Lexon Insurance Company, in the amount of \$159,352.64, with an expiration date of February 18, 2015.

2521 Patton Road

An extension in a letter of credit with Metro Bank, in the amount of \$18,602.10, with an expiration date of February 18, 2015.

Mindy Meadows, Phase I

An extension and 10% increase in a letter of credit with Fulton Bank, in the amount of \$15,150.51, with an expiration date of February 18, 2015.

Mr. Crissman made a motion to approve the five improvement guarantees. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Payment of Bills

Mr. Seeds made a motion to pay the bills of Lower Paxton Township and Lower Paxton Township Authority. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting, and the meeting adjourned at 8:05 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

William L. Hornung
Township Secretary